

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

KYMBERLY HOBBS,
ADMINISTRATOR OF THE ESTATE
OF CHARLES JAMES GIVENS,
DECEASED,

Plaintiff,

Case No. 1:23cv00003

V.

ANTHONY RAYMOND KELLY, et al.,

Defendants.

DEFENDANTS ANTHONY KELLY, GREGORY PLUMMER, JOSHUA JACKSON AND WILLIAM MONTGOMERY'S AMENDED WITNESS AND EXHIBIT LIST

Pursuant to the Court's order and Fed. R. Civ. P. 26(a)(3), Joshua Jackson, Anthony Kelly, Gregory Plummer and William Montgomery make the following disclosure of witnesses and exhibits:

I WITNESSES EXPECTED TO BE CALLED

1. Joshua Jackson
2. Anthony Kelly
3. Gregory Plummer
4. William Montgomery
5. Samuel Osborne
6. Erik Christensen, M.D.
2081 Logan Avenue
Salt Lake City, Utah 84108

7. Mark Sochor, M.D.
Department of Emergency Medicine
University of Virginia Health System
P.O. Box 800699
Charlottesville, VA 22908

II WITNESSES WHO MAY BE CALLED IF THE NEED ARISES

1. Joe Samaniego
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
2. Captain Tony Russell
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
3. Dr. Anne Horst
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
4. Nurse Tammy Jones
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
5. Carl Cox
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
6. Any witnesses identified or subpoenaed by the parties.
7. Any witnesses necessary to authenticate exhibits.
8. Any witness necessary for impeachment.

III EXHIBITS EXPECTED TO BE INTRODUCED

1. Marion Correctional Treatment Center's records regarding Givens

including:

- a. Rounding charts from February 5, 2022 (VDOC 002639-002642)
- b. Virginia Department of Corrections' Facility Bed History from 04/26/2011 to 02/05/2022 (2VDOC001891-1897)

2. Givens's medical records including:

- a. Medication Administration Records from January 2021 to February 2022 from Marion Correctional Treatment Center (3 VDOC000009-0000304)
- b. Smyth County Community Hospital's records from December 1-8, 2021 (MKJP00417-00948)
- c. DNR dated 12/02/2021 (VDOC005836)
- d. Marion Correctional's Fall Risk Assessments November 18, 2020 (VDOC005965-005968)
- e. Radiology Report from Smyth County Community Hospital dated 06/07/2021 (HOBBS000917)
- f. History and Physical dated 07/18/2009 and Discharge Summary dated 07/29/2009 from Northeast Alabama Regional Medical Center (VDOC007148-7152)

3. Video recordings and pictures of Marion Correctional Treatment Center including:

- a. Marion Correctional's February 5 surveillance videos (Rapid Eye) or portions thereof (MCTC254, MCTC255, MCTC256, MCTC257)
- b. Pictures of 2B and shower room (DSC_3379-3389, DSC_3391-3393, DSC_3396, DSC_3399, DSC_3400, DSC_3405, DSC_3410, DSC_3411, DSC_3415, DSC_3432, DSC_3446-3447, DSC_3452-3459, DSC_3470, DSC_3484-3485)
- c. Marion Correctional's Diagram of 2B (HOBBS004742)

4. Video recordings from Virginia Department of Corrections including:

- a. Interviews with West taken on February 27, 2023 and May 8, 2023 (Hobbs production on 08/16/2023)
5. Grand jury transcript of Ronald West's testimony dated August 23, 2022
6. Dr. Christensen's curriculum vitae
7. Dr. Sochor's curriculum vitae
8. Affidavit in Support of Petition for Order for Involuntary Admission dated May 21, 2014 and Order for Involuntary Admission dated May 23, 2014 (2VDOC000593-597)
9. Lee Circuit Court Online Sentencing for First Degree Murder and Use of Firearm in Felony First Offense dated April 5, 2011 (Exhibit 3 to Poston's Memorandum in Support of Motion for Summary Judgment)
10. Lee County Circuit Court Sentencing Order for First Degree Murder and Use of Firearm to Commit Felony entered April 9, 2011 (Recorded in Order Book 110 Pages 1147-1148)
11. Kymberly Hobbs's letter to the Court for sentencing dated April 4, 2011 (HOBBS008609-8611)

IV EXHIBITS THAT MAY BE INTRODUCED IF THE NEED ARISES

1. Audio recordings from Virginia Department of Corrections including:
 - a. Phone call between West and Stanley (MKJP01505)
 - b. Phone call between Catron and Debbie Douglas (VDOC Production dated 02/06/2024, 164407835_133_13_69_95.wav)
2. Autopsy report, report of investigation, certificate of analysis and pictures from autopsy (SIU 000841-000849, SIU 000562-000601);
3. Dr. Christensen's report and reference materials;
4. Dr. Sochor's report and reference materials;
5. Other documents produced in discovery;

6. Any exhibits identified by the parties, not objected to;
7. Pleadings;
8. Documents to be used for impeachment; and
9. Summaries of records, charts, timelines, demonstrative aids.

ANTHONY RAYMOND KELLY
GREGORY SCOTT PLUMMER
JOSHUA RAY JACKSON
WILLIAM ZACHARY
MONTGOMERY

By Counsel

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By /s/ Cameron S. Bell

Cameron S. Bell

Counsel for Defendants Kelly, Plummer, Jackson and Montgomery

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record.

/s/ Cameron S. Bell